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Action or Notice of Allowance.

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

TENT & TRADE				
In re Patent Application of:	Customer No.: 27111			
WITZTUM, Joseph L., et al.	Confirmation No.: 3280			
Serial No.: 10/706,659	Group Art Unit: 1641			
Filed: November 12, 2003	Examiner: COOK, Lisa V.			
For: REAGENTS FOR DIAGNOSING, IMAGING AND TREATING A THEROSCLEROTIC DISEASE	Docket No.: XUCSD-1034917 [formerly 034123-014]			
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 693536696 US I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH ADDRESSEE" SERVICE UNDER 37. C.F.R. 1.10 ON THE DATE INDICATED 1450, ALEXANDRIA, VA 22313-1450.	DATE OF DEPOSIT: <u>July 12, 2006</u> H THE UNITED STATES POSTAL SERVBICE "EXPRESS MAIL POST OFFICE T ABOVE, AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BO			
Joseph Lopez, Jr.				
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Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450				
Sir:				
Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.	98, Applicants submit for consideration in the			
above-identified application the documents listed	on the attached Forms PTO/SB/08b for			
consideration by the Examiner.				
This Information Disclosure Statement is	submitted:			
Within three months of the applica	ation filing date or before mailing of a first Office			
Action on the merits; accordingly, no fee or separ	rate requirements are required.			

A fee is required. A check in the amount of ____ is enclosed.

After receipt of a first Office Action on the merits but before mailing of a final Office

Appl. No. 10/706,659 Filed: July 12, 2006

Third Information Disclosure Statement

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		included herewith.
		A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no
		fee is believed to be due.
	After	mailing of a Final Office Action or Notice of Allowance, but before payment of
he issue fee.	Accord	lingly, a Petition requesting consideration of the Information Disclosure
Statement, an	authori	zation to charge our deposit account, and a Certification under 37 C.F.R. §
1.97(e) are pr	ovided l	herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-1990** referencing XUCSD-1034917 and please credit any excess fees to such deposit account. However, the Commissioner for Patents is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: July 12, 2006

Registration No. 35,053

Please recognize our Customer Number 27111 as our correspondence address.

GORDON & REES, LLP 101 West Broadway, Suite 1600 San Diego, California 92101-8217

Phone: (619) 696-6700 Facsimile: (619) 696-7121

Attorney Docket No. XUCSD-1034917

PTO/SB/08b (07-05)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/706,659			
Filing Date	November 12, 2003			
First Named Inventor	WITZTUM, Joseph L., et al.			
Art Unit	1641			
Examiner Name	COOK, Lisa V.			
Attorney Docket Number	XUCSD-1034917	フ		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		BARBAS, CF, et al., "Combinatorial Immunoglobulin Libraries on the Surface of Phage (pphabs): Rapid Selection of Antigen-Specific Fates," METHODS: A Companion to Methods in Enzymology, 1991, 2(2): 119-124, Academic Press, Inc., Burlington, MA	
		CHANG, M-K, et al., "Monoclonal Antibodies Against Oxidized LDL Bind to Apoptotic Cells and Inhibit Their Phagocytosis by Elicited Macrophages: Evidence That Oxidation Specific Epitopes Mediate Macrophage Recognition," Proc. Nat. Acad. Sci. U.S.A., 1999, 96:6353-	
		van der KOOIJ, MA, et al., "Human Monocyte-Derived Macrophages Express an Approximately 120-kD Ox-LDL Binding Protein With Strong Identity to CD 68", 1997, 17(11): 3107-3116.	

Examiner	Date	
Signature	Considered	<u> </u>

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.